

FILED
U.S. DISTRICT COURT
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DISTRICT OF UTAH

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BY: DEPUTY CLERK

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LESTER JAY MABE,

Defendant.

MOTION FOR DISCOVERY

Case No.2:03CR00986

Judge Ted Steward

COMES NOW the Defendant, by and through his Attorney, Paul Gotay, and moves this Court to allow discovery from the Plaintiff as follows:

1. Names, addresses and telephone numbers of all possible government witnesses, and a brief statement of the substance of what each witness will state at the time of trial.
2. Copies of recordings or transcripts of any recorded statements made by any government witness.

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3. Names, addresses and telephone numbers of all possible expert witnesses for the government, a brief statement of the substance of what each expert witness will state at the time of trial, and a copy of the expert witnesses' report(s).

4. Copies of records, written statements or any other physical evidence which the government will use or intends to use at trial.

5. Production for viewing of all tangible evidence which the government will use or intends to use at trial.

6. Copies of all subpoenas and search warrants that the government issued while investigating this matter and aided in their search for the identities of internet downloaders, such as the Defendant.

7. Identify any and all internet service providers that divulged the identity of the Defendant to the government and the reasons, procedure and method the government used to support said request during the course of this investigation.

8. Identify any and all of the Defendant's financial institutions that divulged the identity of the Defendant, his financial status, methods of payments he made; and any other information derived from his financial records that aided the government during the course of this investigation.

DATED this 12 day of January, 2004

Paul Gotay
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing MOTION FOR DISCOVERY, was either hand-delivered or mailed by United States mail, postage prepaid, this 12 day of January, 2004, to the following:

Paul G. Amman
Attorney for the United States
1855 South State Street
Salt Lake City, Utah 84111

